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EXAMINER

BATES, KEVIN T

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/936,286	Applicant(s) CUNCHON ET AL.	
	Examiner KEVIN BATES	Art Unit 2456	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,8,10,11,14,20,22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7,8,10,11,14,20,22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This Office Action is in response to a communication made on March 11, 2010.

The Power of Attorney has been received on May 4, 2010.

Claims 7-8, 10-11, 14, and 20 are currently amended.

Claim 23 is newly added.

Claims 7-8, 10-11, 14, 20, and 22-23 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 10, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilnicki (6751677) in view of Vu (5623601).

Regarding claim 7, Ilnicki teaches a method allowing a client application running on a client machine linked to a client network to establish communication with a server application hosted in a server machine linked to a server network in order to exchange messages with the server application, said messages passing between the client network and the server network through a network layer of a gateway machine (Figure 3), the method comprising:

A) receiving a request from the client application to establish communication at a first security level to a first port on the server machine (Col. 5, lines 21 -25);

B) creating a first port on the gateway machine (Col. 5, lines 4 – 13);

C) creating at least one first created process on the gateway machine (Col. 8, lines 46 – 57);

D) establishing a first connection from the client application to the first port on the gateway machine, the first connection connecting the client machine to the gateway machine for the exchange of messages at the first security level (Col. 5, lines 21 -25);

E) creating a second port in the gateway machine (Col. 8, lines 46 – 57);

F) establishing a second connection from the second port of the gateway machine to the first port of the server machine, the second connection to be used to exchange messages at a second security level which is reduced from the first security level (Col. 8, lines 46 – 57); and

G) rerouting to the second port of the gateway machine messages sent from the client network addressed to the first port of the server machine (Col. 8, lines 46 – 57);

H) routing, to the first port of the gateway machine, messages received by the gateway machine that are addressed to the client application on the client machine (Col. 8, lines 46 – 57).

Illnicki does not explicitly indicate the first created process on the gateway machine handling security processing at the first security level for said messages sent and said messages received on the first port of the gateway machine, thereby removing

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from the server machine, security processing at the first security level for these messages.

Vu teaches a system with a gateway station intercepting communications travelling into the private network (See Abstract) which includes the idea that the user is authenticated at the proxy server, but the user needs not provide any security or authentication once the session has entered the private network (Col. 11, lines 18 – 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Vu's teaching can be incorporated into Ilnicki's system so that if the network is configured that the gateway gets places on the edge of a private network, a secure connection needs only to be maintained as far as the public network and the security session information does not need to be continued into the more secure private network.

Regarding claim 10, Ilnicki teaches a method according to claim 7, wherein said steps D, E, and F are executed automatically by the first created process of the gateway machine and wherein said first created process generates the second process that executes said steps G and H (Col. 5, lines 21 -25, wherein using different processes for different operations of the gateway is an obvious variation of any program run on a computer).

Regarding claim 20, Ilnicki teaches a method according to claim 7, further comprising deleting, by ordering the network layer of the gateway machine, messages sent from the client network to a port other than the first located in the server machine regardless of a security level of said message sent to the port (Col. 5, lines 60 – 65,

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where if the port is unauthorized to be sent through the gateway, then the messages will not be allowed to pass through the gateway).

Regarding claim 23, Inicki teaches a method as claimed in claim 7, wherein the rerouting of the messages addressed to the first port of the server application is done in a way that is transparent to the client application (Col. 8, lines 46 – 57).

Claims 8, 11, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inicki in view of Vu, and in further view of Rees (6981265).

Regarding claim 14, Inicki teaches a method for allowing a client application to establish, in a client network, a first connection at a first security level with a first port of a server application hosted in a server machine linked to a server network, in order to send messages addressed to the server machine, said messages passing from the client network to the server network through a network layer of a gateway machine, the method comprising:

generating, in the gateway machine, a processing thread which establishes said first connection (Col. 5, lines 21 -25);

activating, in the gateway machine, a secure application proxy that performs security processing at the first security level and that reroutes the messages addressed to the first port of the server application away from the first connection (Col. 5, lines 21 - 25); and,

establishing at a second security level, a second connection between a port of the server application and the gateway machine, said port being configured to receive at least one message at a second security level from the gateway machine via said second connection(Col. 8, lines 46 – 57), and

wherein said generating step is performed in response to detection of a request from the client application addressed to the first port of the server application to establish said first connection; and wherein said second connection is unknown to said client application (Col. 8, lines 46 – 57).

Ilnicki does not explicitly indicate that the gateway server establishes a connection with a second port of the server application, rather than a first port or that the second security level is lower than the first.

Rees teaches a system for relaying messages from an external network into an internal network through a gateway (Fig. 11) that includes a teaching that messages forwarded to port 1 of a port inside the network can be forwarded to a different port inside the network by the gateway (Col. 22, line 50 – Col. 23, line 20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rees teaching of allowing the gateway redirect a communication from a first port to a second to allow communications external to the target server's network access ports which only internal user's can access.

Vu teaches a system with a gateway station intercepting communications travelling into the private network (See Abstract) which includes the idea that the user is

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authenticated at the proxy server, but the user needs not provide any security or authentication once the session has entered the private network (Col. 11, lines 18 – 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Vu's teaching can be incorporated into Ilnicki's system so that if the network is configured that the gateway gets places on the edge of a private network, a secure connection needs only to be maintained as far as the public network and the security session information does not need to be continued into the more secure private network.

Regarding claim 8, Ilnicki teaches a method according to claim 7, wherein said created process comprises:

establishes, in a first phase, said first connection at the first security level in a first interface associated with the first port and with said request;

establishes in a second phase said second connection at the second level of security in a second interface to the third port in the server machine;

writes in a third phase at the second security level to second interface any message read in the first interface at the first security level, and

writes in a fourth phase at the first security level in the first interface any message read in the second interlace at the second security level (Col. 8, lines 46 – 57).

Ilnicki does not explicitly indicate that the gateway server establishes a connection with a second port of the server application, rather than a first port.

Rees teaches a system for relaying messages from an external network into an internal network through a gateway (Fig. 11) that includes a teaching that messages forwarded to port 1 of a port inside the network can be forwarded to a different port inside the network by the gateway (Col. 22, line 50 – Col. 23, line 20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rees teaching of allowing the gateway redirect a communication from a first port to a second to allow communications external to the target server's network access ports which only internal user's can access.

Regarding claim 11, Innicki teaches a method according to claim 8, wherein said steps D, E, and F are executed automatically by the first created process of the gateway machine and wherein said first created process generates the second process that executes said steps G and H (Col. 5, lines 21 -25, wherein using different processes for different operations of the gateway is an obvious variation of any program run on a computer).

Regarding claim 22, Innicki teaches a method as claimed in claim 14, wherein the rerouting of the messages addressed to the first port of the server application is done in a way that is transparent to the client application (Col. 8, lines 46 – 57).

Response to Arguments

Applicant's arguments with respect to claims 7 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN BATES whose telephone number is (571)272-3980. The examiner can normally be reached on M-F 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN BATES/

Primary Examiner, Art Unit 2456